

**BEFORE THE STATE BOARD OF
EMBALMERS AND FUNERAL DIRECTORS
STATE OF MISSOURI**

State Board of Embalmers)	
and Funeral Directors,)	
)	
Petitioner,)	
)	
v.)	Case No. 10-0450 EM
)	
Mount Washington Forever, LLC)	
and Forever Network, Inc.,)	
)	
Respondents.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
DISCIPLINARY ORDER**

On May 24, 2014, the Administrative Hearing Commission entered its Default Decision in the case of *State Board of Embalmers and Funeral Directors v. Mount Washington Forever, LLC and Forever Network, Inc.*, Case number 10-0450 EM (the “AHC Order”). In the AHC Order, the Administrative Hearing Commission found that Mount Washington Forever, LLC and Forever Network, Inc.’s (“Licensee”) licenses to practice as funeral establishments are subject to

discipline pursuant to Sections 333.330.2(4), (5), (6), (7), (10), (11), (13), (14), (16) and (19), RSMo¹.

Pursuant to notice and Section 621.110, RSMo, the Board held the disciplinary hearing in this matter on August 11, 2014, at 3605 Missouri Boulevard, Jefferson City, Missouri 65109 for the purpose of determining the appropriate disciplinary action against the funeral establishment licenses held by Mount Washington Forever, LLC and Forever Network, Inc. The Board commenced the hearing at approximately 10:30 a.m. Sharon Euler represented the Board at this hearing. Mount Washington Forever, LLC and Forever Network, Inc. did not appear in person or by legal counsel.

After full review of the record and the evidence and testimony presented at hearing, the Board issues the following Findings of Fact, Conclusions of Law and Disciplinary Order:

Findings of Fact, Conclusions of Law and Disciplinary Order

1. The Board is an agency of the State of Missouri created and established pursuant to Section 333.151, RSMo, and vested with the authority to execute and enforcing the provisions of Chapter 333 and portions of Chapter 436, RSMo.

2. Mount Washington Forever, LLC is a Missouri limited liability company that operates under the properly registered registered fictitious names of

¹ All statutory references are to the Revised Statutes of Missouri (2000), as supplemented, unless otherwise indicated. Any reference to the provisions of Chapter 436, RSMo, as supplemented up to 2008, are so designated by the notation of "Old Law".

Barreto Funeral Home, Mount Washington Forever Funeral Home and Forever Cremation Society of Kansas City. Forever Network, Inc. is a Missouri corporation that operates under the properly registered fictitious names of Forever Oak Hill Funeral Home, Creation Society of St. Louis and Forever Bellerive Funeral Chapel. Forever Network, Inc. and Mount Washington Forever, LLC share common ownership, although Mount Washington Forever, LLC is partially owned by an entity that does not share common ownership with Forever Network, Inc. Forever Network, Inc. operated and controlled all six funeral establishments at issue in this matter.

3. Mount Washington Forever, LLC and Forever Network, Inc. hold funeral establishment license numbers 2004032510 (Forever Bellerive Funeral Chapel), 2004032513 (Cremation Society of St. Louis), 2004010733 (Forever Oak Hill Funeral Home), 1999138021 (Mount Washington Forever Funeral Home), 2005035105 (Barreto Family Funeral Home) and 2002006254 (Forever Cremation Society of Kansas City) that all expired on or about December 31, 2009.

4. The Board adopts and incorporates by reference the findings of fact and conclusions of law contained in the properly pled Complaint, Default Decision and the record of the Administrative Hearing Commission in the case of *State Board of Embalmers and Funeral Directors v. Mount Washington Forever, LLC and Forever Network, Inc.*, Case number 10-0450 EM.

5. The State Board of Embalmers and Funeral Directors (the "Board") received and reviewed the record certified to it by the Administrative Hearing

Commission. The record of the Administrative Hearing Commission, including the properly pled Complaint and Default Decision, is incorporated into this Findings of Fact, Conclusions of Law and Disciplinary Order (the "Board Order") by reference as if set forth in its entirety in this Board Order.

6. The Board takes official notice of its file and the record in this matter.

7. The Board timely set this case for disciplinary hearing and properly served Respondent Mount Washington Forever, LLC and Forever Network, Inc. with notice of the time, date and location of the disciplinary hearing.

8. The Board has jurisdiction over this matter pursuant to Section 621.110 and Section 333.330, RSMo.

9. The Board finds this Board Order is necessary to protect the public.

THEREFORE, having fully considered the evidence before the Board and giving full weight to the Findings of Fact and Conclusions of Law contained in the properly pled Complaint and Default Decision as found by the Administrative Hearing Commission and set forth in the AHC Order, the Board makes the following disciplinary order:

1. The funeral establishment licenses held by Respondents are **REVOKED**. Licensees shall immediately return all indicia of licensure to the Board.

2. This Board Order of the Board shall be maintained as an open and public record of the Board as provided in Chapters 333, 610 and 324, RSMo.

IT IS SO ORDERED.

Dated: 9.4.2014

Sandy Sebastian

Sandy Sebastian
Executive Director
State Board of Embalmers and Funeral Directors